

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

Michael Hill

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Case No: 7:96-CR-42-1F

USM No: 16514-056

Thomas P. McNamara

Defendant's Attorney

Date of Original Judgment: 11/04/1996

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____

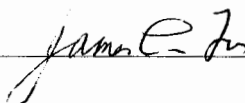
While serving his current sentence, the defendant escaped from the custody of the Bureau of Prisons on December 25, 2005. He remained a fugitive until he was arrested on March 24, 2008. In keeping with the provisions of 18 U.S.C. §§ 3582(c)(2) and 3553(a), and 1B1.10, Application Note 1(B)(ii), the court has determined that a reduction is not appropriate based on the defendant's continued criminal conduct while in custody.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated November 4, 1996 shall remain in effect. **IT IS SO ORDERED.**

Order Date: 12/18/12


Judge's signature

Effective Date: _____
(if different from order date)

James C. Fox, Senior U.S. District Judge
Printed name and title